

MEMORANDUM

TO: Mayor Randy Casale and Beacon City Council Members

FROM: Keane & Beane, P.C.

RE: Water Easement – Fairview Subdivision
446 Washington Avenue

DATE: July 24, 2018

On April 10, 2018, the Planning Board approved a three-lot subdivision at 446 Washington Avenue. The Preliminary and Final Subdivision Approval Resolution was subject to a condition that the Applicant submit to the City a Water Easement Agreement which would provide the City with written, recorded easement rights to the existing 16” ductile iron water pipe that traverses the southwestern side of the subject property from Washington Avenue to City of Beacon Water Treatment plant on Liberty Street. The 30-foot wide easement area is shown at the southwestern side of the Property on the enclosed subdivision plat.

In satisfaction of the condition, the Applicant submitted the enclosed “Grant of Water Easement,” which has been reviewed by the City Attorney’s office as to form and found to be acceptable. The metes and bounds description for the easement is under review by the City Engineer’s office to confirm its accuracy.

The easement includes routine terms which provide written, recorded rights for the City to access the property the purpose of using, inspecting, maintaining, repairing and replacing the water line. The property owner agrees that no structures will be constructed or maintained over the City’s easement area. These terms are the same or similar to utility easements the City has previously accepted.

The City Council should decide whether it would like to accept the offered easement for the existing water main and authorize the Mayor and/or City Administrator to sign the easement and all other documents necessary for the recording of the easement. A proposed resolution is enclosed for your review.